

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
Case No. 5:15-cv-627

FREDERICK L. ALLEN and )  
NAUTILUS PRODUCTIONS, )  
LLC, )  
Plaintiffs, )  
v. )  
ROY COOPER, et al., )  
Defendants. )  
\_\_\_\_\_ )

**NOTICE OF APPEAL**

State Defendants hereby notice their appeal to the United States Court of Appeals for the Fourth Circuit from the district court's order [D.E. 118] entered on August 18, 2021 that granted plaintiffs' motion for reconsideration of an order dismissing plaintiffs' takings claim against State Defendants and permitted the amendment of plaintiffs' complaint overriding the State Defendants' assertion of sovereign immunity.

This the 20th day of September, 2021.

JOSHUA H. STEIN  
Attorney General

/s/ Olga E. Vysotskaya de Brito  
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**CERTIFICATE OF SERVICE**

I hereby certify that on this date a copy of the foregoing Notice of Appeal was filed electronically using the Court's ECF system, which will send notice electronically to all counsel of record who have entered an appearance in this case.

This the 20th day of September, 2021.

/s/ Olga E. Vysotskaya de Brito  
Ms. Olga E. Vysotskaya de Brito  
Special Deputy Attorney General